

FILED
IN CLERKS OFFICE

United STATES DISTRICT COURT
FOR DISTRICT OF MASSACHUSETTS

2022 AUG 12 PM 12:28

Steven L Smith,
Plaintiff

vs

Haley Curie, Clerk
OF U.S. Court

Dennis P. McManus,
Clerk of Worcester Court

Robert Creedon JR.,
Clerk of Brockton Court

Major Murphy, Major
AT Barnstable TAIL

(All in official and individual
capacity)

Docket #

August 10, 2022

Motion of Civil Complaint
Under U.S.C. 42 § 1983

- 1) The plaintiff is a pre-trial detainee held at Nashua Street Tail, 200 Nashua Street, Boston, MA 02114
- 2) The defendant Haley Curie is a U.S. District Court clerk, at 1 Bourthouse Wh., BOSTON, MA 02210.
- 3) Dennis P. McManus is a clerk at Worcester Superior Court, 225 Main Street, Worcester, MA 01608
- 4) Robert Creedon Jr. is a clerk of Brockton Superior Court, 72 Belmont ST, Brockton MA 02301

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5) Major Murphy is A major at The Barnstable County Jail 6000 Sheriff's Place, Buzzards Bay, MA 02543

6) The Plaintiff has the following ongoing civil Actions:

1) Smith vs Dr. Margarita Daou
1:21-CV-12056 (DJC) in U.S. District Court.

2) Smith vs Dr. Margarita Daou
2285-CV-00686 in Worcester Superior Court

3) Smith vs Ryan J. Matthews
2183-CV-00985

AND These cases either dismissed or pending due to the failures of the defendants:

4) Smith vs Matthew D. Bober
2283-CV-00110

5) Smith vs Ellen T. Garnett
No docket

6) Smith vs Matthews D. Bober
Refiled | No docket

FACTS OF COMPLAINT

7) The plaintiff has been a Pre-Trial Detainee unable to post 30,000 cash bail, for 4 years, for a horrible crime that he did not commit.

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8) Yet, I have had 8, Court Appointed Attorneys, All unwilling to file a Motion to DISMISS that will include these undisputed facts!

A) Det. Lober committed blatant perjury to gain plaintiff's indictment.

B) Det. Lober assisted D.A. Paltuson to unethically and maliciously withheld exculpatory evidence that was available at time of presentment.

9) Ergo, I want to sue three of my prior Attorneys for their intentional A willful refusal to submit a Motion to Dismiss that will impeach the police And district Attorney for their compt practices.

10) One of them, Ryan J. Matthews, actually managed to convince the Court and court doctors that I'm incompetent - in order to prevent me from representing myself and filing an O'Dell MOTION Pro Se..

11) I can prove these Allegations are Not delusional or paranoid statements, because Carla G. Munoz, Ph.D. Recently evaluated me at Solomon Fuller Carter, and wrote on Page 7 that I am Not delusional or paranoid, but THAT I made

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Reality-based arguments and presented legal documents to convince her, A Forensics psychologist, that the police, district attorney, and alleged victim all lied or withheld exculpatory evidence to gain my indictment.

(See Exhibits - Pages from Dr. Munoz June 2022 EVALUATION OF CST)

12) In June 2022, Judge Gildea reversed his Ruling that Declared me Incompetent, and declared me to be Competent. Yet, when I moved to hire Ellen J. Garnett and represent myself... Judge Gildea Removed her but Appointed another Attorney Against my will, Mr. Stephen Loesch.

13) Judge Gildea directed Mr. Loesch to file an O'Dell Motion.

Really ?? I have copies of many letters to ~~to Ryan~~ ^{Matthews} many months prior to him raising issues with my competency, directing him to file an O'Dell Motion ASAP (see Exhibits) i.e. To Attorney Ryan J. Matthews.

Instead of filing an O'Dell Motion that would include Det. Lobur's blatant perjury and the blatant unethical presentation... He got me found incompetent All so I could not file the O'Dell myself.

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14) I did NOT want Mr. Loesch to prepare the O'Dell, as I knew, he would also exclude how Det. Lober committed perjury.
(Please see Mr. Loesch O'Dell MOTION ATTACHED)

15) Dr. Muñoz Ph.D.'s EVALUATION OF CST dated 6-2022 AND ATTORNEY Stephen Loesch DRAFT O'Dell MOTION OF JULY 2022, PROVE ALL OF MY ALLEGATIONS ARE TRUE.

IN THAT, NONE OF my prior ATTORNEY'S WOULD DO WHAT Mr. Loesch did — yet he's only been on my case 2 months...

However, he Also doesn't argue the bedrock O'Dell grants that I have:

- 1) Det Lober committed perjury to gain an indictment.
- 2) The District Attorney had exculpatory evidence to prove I did not commit the crime at time of presentation but intentionally and unethically excluded it to gain my indictment.

16) Ryan J. Matthews got me sent to Worcester Recovery Center and Hospital, twice, for EVALS OF CST.

CIVIL Complaints

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YET, INCREDIBLY AND IN GROSS
VIOLATION OF MY CIVIL RIGHTS I
WAS CERTIFIED AS MENTALLY ILL,
DANGEROUS, AND IN NEED OF psychiatric
hospitalization upon entry.

Despite the fact I was declared
Competent by two doctors at B.S.H.
(Pamela Howard Psy.d and Ariel Ingher
Psy.d) And the fact Judge Gildea
himself sent me to W.R.C.H to
be evaluated for CST as I was
NOT dangerous, mentally ill, or in
Need of psychiatric hospitalization.

I WAS ALSO ASSAULTED AT W.R.C.H
by A 19 year old... STAFF LET IT
happen caused it to happen Then
covered it up and I have proof
as my Complaint on the issue was
substantiated by The Chief executive
officer, Jacqueline Ducharme, of W.R.C.H.

The Harms Caused by
The Clerks:

Halle Curie

1) I filed An ACTION Against W.R.C.H
in U.S. District Court, Smith vs
Dr. Daou, et al last 12-16-21
And Received docket # 1:21-cv-
12056(PJC)

However, Despite Numerous letters
And MOTIONS to Clerk Halle Curie

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She only replied once, to inform me to be patient.

I also mailed her a 100.00 check (someone gave me money at Solonor-Carter-Fuller) towards the file fee. And No acknowledgement came. Nor does the docket reflect it.

I assert she intentionally ignored it, as she doesn't want to file this action.

18) Defendant Civie Also doesn't Answer Letters, the Docket entries reflect I sent her numerous letters yet none are answered except 1 reply 6 months ago, to be patient.

19) I assert, this refusal by Clerk Haley Civie, to Reply and file this Action 1:21-CV-12056 (DJC) is a denial of access to the courts. I have a valid, and non-frivolous Complaint against W.R.C.H staff yet I cannot serve the defendants due to the clerks failure to perform their duty.

20) Robert S. Creedon, Jr
Clerk of Brockton Court has also failed to respond to plaintiff's letters and motions, causing his Action, Smith vs Matthew D. Bober, 2283-CV-00110 to be

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dismissed!

A) I was given the docket # 2283-cv-00110 and leave to serve the Complaint. It took over 1 month to learn I needed to serve the defendant Certified Mail with the Summons and copy of Complaint.

B) several weeks more were spent trying to Major Murphy I needed to send the Complaint via Certified Mail Return Receipt and getting the Barnstable Jail to pay.

C) I actually had to file a Complaint against the Sheriff Cummings just to get it done and was transferred soon after.

D) Major Murphy assured me that he would forward the Green Card with Mr. Bober's signature once he received it. I never received it.

E) So I began writing to clerk Robert S Creedon, Jr. I wrote him for over 2 months, I even submitted A Motion that I did not receive the Green Card. Nevertheless I did receive Notice my action was dismissed for failure to serve Mr. Bober.

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F) Over 1½ months Ago I refiled Smith vs Bober. I also filed another action against my other former Attorney, Ellen J. Garrett.

To date, I've not received any acknowledgement that these filings have been received.

21) Mr. Creedon Jr. Also doesn't reply to any motions or letters in my case Smith vs Matthews (Ryan) that is pending for a Rule 12 Hearing August 18, 2022.

I MUST spend all my sparse funds on postage to write these clerks yet NO Answers are forthcoming.

22) Clerk Dennis P. Mc Manus of Worcester Court is also NOT responding. I have been writing to him since mid June 2022, since I was given a docket #2285-CV-00686 in my case against Dr. Dao, et Al.

I Need copies of the Complaint and SUMMON Forms to serve 15 defendants, I sent all kinds of letters and MOTIONS ASKING for them to do so.

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I Also had family members call
The Clerk's office AND yet, here
its 8-8-2022, And I have NOT
been sent Summons or copies of
The Complaints to serve The ACTION
by clerk.

- 23) MATOK MURPHY Never sent The
Green Card or informed me That
it was NOT returned.. So I'm
left to wonder, did The Green
Card get signed by Mr. Bober and
Murphy didn't send it—or did
Mr. Bober not sign it.

Redress

I seek a Court order to
Direct These clerks to Answer
The plaintiff and assist him
in Filing These Actions.

Respectfully,

Steven L Smith

Steven L Smith
2203270

Suffolk County Trial
200 Nashua Street
Boston, MA 02114

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